

## UNITED STATES DISTRICT COURT

for the  
Southern District of Ohio

In the Matter of

(Briefly describe the property to be searched  
or identify the person by name and address)The Use of a Cell-Site Simulator to Identify the Cellular  
Device(s) Used by Diego CASTANEDA-GARCIA

Case No. 2:19-mj-78

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search  
of the following person or property located in the Southern District of Ohio  
(identify the person or describe the property to be searched and give its location):

See Attachment A

I find that the affidavit(s), or any recorded testimony, establish probable cause to search and seize the person or property  
described above, and that such search will reveal (identify the person or describe the property to be seized):

See Attachment B

**YOU ARE COMMANDED** to execute this warrant on or before Feb. 8, 2019 (not to exceed 14 days)☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the  
person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the  
property was taken.The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory  
as required by law and promptly return this warrant and inventory to Kimberly A. Jolson or or any U.S. Magistrate Judge  
(United States Magistrate Judge)☒ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C.  
§ 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose  
property, will be searched or seized (check the appropriate box)☒ for 30 days (not to exceed 30) ☐ until, the facts justifying, the later specific date of \_\_\_\_\_Date and time issued: Jan. 25, 2019 2:27 PMCity and state: Columbus, OhioKimberly A. Jolson, U.S. Magistrate Judge  
Printed name and title



AO 93 (Rev. 11/13) Search and Seizure Warrant (Page 2)

**Return**

Case No.:

2:19 MJ 75

Date and time warrant executed:

2/1/2019 1000 Hrs

Copy of warrant and inventory left with:

N/A

Inventory made in the presence of:

HSI TEO JIM ALLER

Inventory of the property taken and name of any person(s) seized:

CELL-SITE SIMULATOR WAS UTILIZED ON DIEGO CASTANEDA-GARCIA ON 2/1/2019 FROM 1000 HRS TO 1700 HRS TO ATTEMPT TO IDENTIFY ANY CELLULAR PHONES BEING UTILIZED BY HIM. THE FOLLOWING PHONE NUMBERS WERE IDENTIFIED AS BEING LINKED TO DIEGO CASTANEDA-GARCIA: 614-928-7360 AND 614-971-0612.

**Certification**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: 2/28/2019



Executing officer's signature

ROBERT KUKOVEC, AGENT (HSI)

Printed name and title



**ATTACHMENT A**

This warrant authorizes the use of the electronic investigative technique described in Attachment B when the officers to whom it is directed have reason to believe that Diego CASTANEDA-GARCIA is present.

This technique may be used at the following locations: the home residence of CASTANEDA-GARCIA located at 1287 Cranwood Square South, Columbus, OH 43229 and any other locations CASTANEDA-GARCIA is observed travelling to during the course of surveillance or multiple surveillances of him by investigators. CASTANEDA-GARCIA does not have any legitimate form of employment or any typical pattern of travel and/or behavior to narrow down the area of use for the electronic investigative technique described in Attachment B.



**ATTACHMENT B**

The “**Target Cellular Device(s)**” is the cellular device or devices carried by Diego CASTANEDA-GARCIA. Pursuant to an investigation of CASTANEDA-GARCIA for a violation of Title 21 U.S.C. § 846 (Conspiracy to Possess with Intent to Distribute a Controlled Substance), this warrant authorizes the officers to whom it is directed to identify the **Target Cellular Device(s)** by collecting radio signals, including the unique identifiers, emitted by the **Target Cellular Device(s)** and other cellular devices in its vicinity for a period of thirty days, during all times of day and night.

Absent further order of a court, law enforcement will make no affirmative investigative use of any identifiers collected from cellular devices other than the **Target Cellular Device(s)**, except to identify the **Target Cellular Device(s)** and distinguish it from the other cellular devices. Once investigators ascertain the identity of the **Target Cellular Device(s)**, they will end the collection, and any information collected concerning cellular devices other than the **Target Cellular Device(s)** will be deleted.

This warrant does not authorize the interception of any telephone calls, text messages, or other electronic communications, and this warrant prohibits the seizure of any tangible property. The Court finds reasonable necessity for the use of the technique authorized above. *See* 18 U.S.C. § 3103a(b)(2).